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SUBJECT: XXXXXXXXXXXX TO AMBASSADOR: GOC ANGRY AT USG SILENCE ON VENEZUELA; PROBLEMS WITHIN MOD; NO NEW PROSECUTOR GENERAL

REF: A. BOGOTA 3421; B. BOGOTA 3375; C. BOGOTA 3271

CLASSIFIED BY: William R. Brownfield, Ambassador; REASON: 1.4(B), (D)

#### SUMMARY

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¶1. (S/NF) XXXXXXXXXXXX told the Ambassador on November 24 that President Uribe was angry with the USG for its lack of response to Venezuela' XXXXXXXXXXXX also said the GOC was interpreting the cancellation of Deputy Secretary of State James Steinberg's December 1-3 visit to Colombia as a political signal. The Ambassador explained that the visit was only canceled due to a scheduling conflict. XXXXXXXXXXXX understood, but said this was further indication of how bad the worrisome anti-USG reaction now was in Colombia. Even the private sector and former presidents and ministers were lashing out. The Ambassador said he would seek to address this perception with the media, and urged the GOC not to fall into Venezuelan President Chavez' rhetorical trap. XXXXXXXXXXXX said that Uribe would discuss Venezuela with Brazilian President Lula in Manaus on November 26.

¶2. (S/NF) XXXXXXXXXXXX also told the Ambassador that Minister of Defense Gabriel Silva and Armed Forces Commander Freddy Padilla do not get along; that the Uribe-Supreme Court standoff would continue well into next year, with the Supreme Court likely refusing to select a Prosecutor General unless Minister of Interior and Justice (MOIJ) Fabio Valencia Cossio resigned; that the CNP had asked prosecutors to begin arrests and prosecutions in the Administrative Department of Security (DAS) wiretap cases; and that extradited narcotics traffickers and paramilitaries were preparing a smear campaign against XXXXXXXXXXXX. End Summary.

#### URIBE ANGRY AT USG SILENCE ON VENEZUELA

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¶3. (S/NF) XXXXXXXXXXXX invited the Ambassador and ORA Chief to lunch November 24 to share his worries about the growing anti-United States reaction in Colombia. At a security meeting on November 23, President Uribe, for the first time in XXXXXXXXXXXX memory, expressed open anger with the USG's fence-sitting on Venezuela's aggressive threats and posture (ref A). The Colombian private sector and the Presidential Advisory Board (former presidents and ministers) were also ventilating against the USG in private and public. XXXXXXXXXXXX said he was very concerned. The Ambassador said he would try to address some of these perceptions with the press on November 25, but stressed the importance of not falling into President Chavez' rhetorical trap. Chavez was currently winning the public relations struggle in Colombia, which is neither in the USG or GOC's interest. Chavez hopes to isolate Colombia from the region; he is now accomplishing that and dividing Colombia from the United States. XXXXXXXXXXXX shared that Uribe had just decided to attend the Summit of Amazon Nations in Manaus, Brazil, on November 26, where he would work with President Lula on Venezuela.

#### DEFENSE MINISTRY DISARRAY

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¶4. (S/NF) XXXXXXXXXXXX said there were serious, growing problems in the MOD (which oversees both the military and the police) Minister Silva did not trust Armed Forces Chief Gen. Padilla; they now rarely spoke to one another. XXXXXXXXXXXX also feels that Silva allows his personal secretary (from the private sector) too much access to his meetings, which is a growing security concern. Padilla does not allow Army Commander Gonzalez to run the Army, and Silva does not support Padilla, so the Army is adrift and senior officers are playing one off against the other. Compounding things, the Navy was feeling under assault due to the Rear Admiral Gabriel Arango Bacci narcotics trafficking case (ref B). Only the Air Force and CNP seemed to be operating on all cylinders. XXXXXXXXXXXX himself has comfortable access to both Silva and Uribe. XXXXXXXXXXXX urged the USG to pay attention to MOD dysfunctionality.

NO PROSECUTOR GENERAL FOR MONTHS, MINISTER OF INTERIOR & JUSTICE RESIGNATION MAY BE ONLY SOLUTION -----

¶5. (S/NF) XXXXXXXXXXXX said that the standoff between the Supreme Court and President Uribe on naming a new Prosecutor General would continue well into 2010. The Supreme Court justices were visiting Spain now and would go into recess upon their return. In January, the justices' focus would be on electing a new Supreme Court president. (Note: Last year, this took three months and 130 votes. End Note.) XXXXXXXXXXXX was convinced that the only solution to the Executive-Judiciary standoff was to remove MOIJ Minister Valencia from office. The Supreme Court had personalized much of its dislike for the Uribe Administration in Valencia.

¶6. (S/NF) XXXXXXXXXXXX conceded that the Court had a point when it claimed Uribe changed signals on the three-person list of nominees for Prosecutor General. The Uribe Administration had asked Inspector General Alejandro Ordonez to find a solution with the Court. Ordonez worked out a deal whereby the Court would accept

the list if Juan Angel Palacio's name was pulled and replaced by former magistrate Gomez Gallego. When Ordonez presented this solution to Uribe, the President said he would not abandon his candidate Camilo Ospina and replaced Palacio with State Counselor Marco Antonio Velilla Moreno instead (Note: Lawyer Virginia Uribe is the third candidate on the list. End Note.). The Court promptly rejected Velilla for his lack of penal experience. This rejection of the compromise he had been asked to work out angered Ordonez. XXXXXXXXXXXX thought a long term solution to Colombia's judiciary woes might be to split the MOIJ into two ministries -- Interior and Justice -- but that was unlikely before the May 2010 presidential elections. XXXXXXXXXXXX planned to tell Uribe that the only way he saw to resolve the Prosecutor General issue in the near term was for Valencia to resign, with an understanding that the Supreme Court would then select one of the three nominees on the list.

#### DAS WIRETAPS INVESTIGATIONS

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17. (S/NF) The Ambassador inquired as to the state of the investigations into the illegal wiretaps by the Administrative Department of Security (DAS). XXXXXXXXXXXX said CN investigators had developed

#### SMEAR CAMPAIGN AGAINST NARANJO

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18. (S/NF) XXXXXXXXXXXX said Baruch Vega, a drug trafficker who had served time in the United States and now resided in Miami, was conspiring with Don Mario and other extradited United Self-Defense Forces of Colombia (AUC) paramilitaries to build a false case against him. He said that a number of his officers had reported being approached by these individuals seeking dirt on XXXXXXXXXXXX. He thought some smear was inevitable, and said he would share the informat

#### COMMENT

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19. (C/NF) XXXXXXXXXXXX is now the second most popular person in Colombia and perhaps the smartest, best informed member of the GOC. His views and observations are usually worth serious consideration. Er